IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Crl.Rev.Pet.No. 796 of 2001()

ST.407/1993 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, NEDUMANGAD
CRA.339/1995 of SESSIONS COURT, TRIVANDRUM

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REVN. PETITIONER/APPELLANT/ACCUSED:

A.SAINULABDEEN
S/o. LATE A.A.AYDROSE KUNJU,
“AMANIYYA”,
KILIKOLLOOR VILLAGE, KOLLAM

BY ADV. SRI.B.KRISHNA MANI
SMT.PREVEENA CHERIAN
SMT.ASHA JYOTHI

RESPONDENTS/RESPONDENT/COMPLAINANT & STATE:

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1. KRISHNA PANICKER,
S/o. KUTTAN PANICKER,
VIJAYA MANDIRAM, ARYANAD,
KOTTAKKAKOM MURI,
ARYANAD.

2. STATE OF KERALA REPRESENTED
BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,]
ERNAKULAM.

BY PUBLIC PROSECUTOR SR. C.M.KAMMAPPU
ADV. SRI.K.SATHEESH KUMAR
SRI.T.A.UNNIKRISHNAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON C.M.P.No.3696 OF 2001 IN CRL.R.P.No.796 OF 2001

DISMISSED

09/03/2007 Sd/-K.R.UDAYABHANU,JUDGE

TRUE COPY

P.A.TO JUDGE

K.R.UDAYABHANU,J

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Crl.R.P.NO.796 OF 2007

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Dated this the 9th day of March,2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.18,000/- under Section 357(3) Cr.P.C. It is submitted by the revision petitioner that he had already deposited Rs.9,000/-.

2. The counsel for the revision petitioner has only sought for modification of sentence. In the circumstances, sentence is modified to imprisonment till the rising of the court and to pay a fine of Rs.18,000/- and in default to undergo simple imprisonment for three months. The revision petitioner is granted one months time from today onwards to deposit the fine amount less the amount already deposited. NBW if pending is not to be executed till then.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs